

United States District Court

WESTERN DISTRICT OF NEW YORK

Louella K. Beeny

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 04-CV-385

v.

Jo Anne B. Barnhart, Commissioner of Social Security

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Plaintiff's motion for judgment on the pleadings is granted, Defendant's motion for judgment on the pleadings is denied and this case is remanded to the Commissioner of Social Security for further administrative proceedings.

Date: 9/20/05

RODNEY C. EARLY, CLERK

By: s/Deborah M. Zeeb
Deputy Clerk